

# Bacquilla de la Santa Macía

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# Timothy Sylvester Hogan, The Solid Man (Conclusion)

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The U.S. Senate Election of 1914

"I think there is only one thing in the world I cannot understand and that is Ohio politics."

Theodore Roosevelt

The 1914 U.S. Senate campaign in Ohio was much like an iceberg; only about 10% of it was visible on the surface. Visible were the campaign issues of the day – alcohol prohibition, tariffs, and President Woodrow Wilson's record. Below the surface of these very public issues lurked the larger divisive issues of anti-Catholicism, racism, anti-Semitism, and xenophobia.

The Democratic Party was represented by Timothy Sylvester Hogan the good-looking crusading Ohio Attorney General who had made a name for himself in that office by prosecuting political graft and fraud in Ohio government. His successful graft prosecutions had hit both Democrats and Republicans equally. The Irish-Catholic Hogan was at the end of his second two-year term as Attorney General. He was honest, hard working and an excellent public speaker.

Representing the Republican Party was Warren Gamaliel Harding, the good-looking former Ohio legislator, Lieutenant Governor and newspaper publisher from Marion, Ohio. Harding had run unsuccessfully for governor in 1910, but remained respected by the party leaders. He was known for being friendly, likable and a staunch supporter of the party. His record of political accomplishments in office was very small, but few could be found, including Hogan, who would speak ill of him. Like Hogan, he was a regular attendee at political picnics and he was known as an excellent public speaker.

Representing the Progressive Party was Arthur Lovett Garford, a bicycle manufacturer from Elyria, Ohio. Garford had run unsuccessfully for governor in 1912. The Progressive Party's break from the Republican Party in 1912 split the national Republican vote and was largely responsible for the election of Democrat Woodrow Wilson. The fortunes of the Progressive Party were waning by 1914 and few saw Garford's candidacy as a serious threat (note that in several Harding biographies, Garford is incorrectly identified as Arthur Garfield).

A few of the larger issues in this campaign were as follows:

Anti-Catholicism: Anti-Catholicism had been prevalent in the United States since the 1840's when the nativist Know-Nothing Party had been dominant in America. They appeared, on the surface, to represent "true" American values. Underneath the figurehead politicians were thugs who burned Catholic churches and convents, assaulted and murdered Catholic priests, and made certain that Catholics were not elected to political office. Catholics could not, in their warped view, be loyal Americans since they were loyal only to the Pope. Another preposterous notion was that all Catholics were part of a conspiracy to turn the American government over to the Pope. It was feared that Catholics would invalidate Protestant marriages and abolish the public schools. Accordingly, the key organizers in this alleged conspiracy were the Jesuits and the Knights of Columbus, who communicated information gathered about American Protestants directly to the Pope.

Organizations that overtly promoted the Anti-Catholic line were the American Protective Association, the Guardians of Liberty, Junior Order of American Mechanics, and the various Masonic organizations. Anti-Catholic publications, circulating at this time, were The Accuser and The Menace. Catholic Timothy Hogan was a 4th degree Knight of Columbus and a member of the Ancient Order of Hibernians. Warren Harding, a Baptist, was a member of several Masonic organizations, including the Knights of Pythias.

Prohibition: The alcohol prohibition movement had been around for many years prior to 1914. The movement began in earnest with the founding of the Women's Christian Temperance Union in 1873. The highly successful Anti-Saloon League, founded in 1893, politicized the movement and became its primary voice. These exclusively Protestant movements were, on the surface, an effort to improve the morals of the citizens by outlawing the manufacture, distribution and sale of all alcoholic beverages. Its writings and issues were clothed in patriotism and the protection of Americans from the immoral

effects of demon rum (actually beer was always their chief target). Lurking just below the surface of this crusading movement was an agenda of anti-Catholicism and xenophobia.

The large cities had become the home of the new immigrant. The new immigrants in 1914 were largely German, Italian, and Irish. Their religion was predominantly Catholic. Immigrants tended to settle in big cities and, as a result, political machines flourished there. The political bosses used saloons as headquarters, meeting places, and hiring halls. The Protestant prohibitionists felt that if saloons were outlawed the political machines would collapse, allowing the smaller, and Protestant dominated, communities to press their political and religious agenda. This agenda allowed no tolerance of immigrants, particularly those who were Catholic.

Those who favored prohibition were the Drys and those opposed to prohibition were the Wets. Hogan was a Wet and was opposed by the Anti-Saloon League. The Anti-Saloon League supported Harding, despite the fact that he was a regular drinker and never came out strongly in favor of prohibition. Garford campaigned almost exclusively in favor of the prohibition issue. Why the Anti-Saloon league backed Harding, someone who never took a stand on prohibition and not Garford, the official dry candidate, remains a mystery, but it is indicative of the league's willingness to sell out its principals for political advantage. In this election, the political advantage was not the election of Harding, but was the defeat of Timothy Hogan.

Also, on the ballot in 1914 was a proposal to enact Prohibition in Ohio, as well as, an amendment asking voters to approve Home Rule (the ability of local communities to license the sale and distribution of alcohol). The passage of Home Rule would essentially eliminate the already existing dry areas in Ohio. The Wets and Hogan favored Home Rule. The Drys, Garford and the Anti-Saloon League supported defeat of the Home Rule amendment and passage of statewide Prohibition. Harding was typically noncommittal on the alcohol issue, but he did not reject the support of the Drys in this campaign.

President Woodrow Wilson – Hogan tied his campaign to the record of President Wilson. Elected in 1912, Wilson was for a progressive and internationalist view of the world, anti-trust, low tariffs and states rights. Historian Thomas Fleming has said that, "Anyone who followed Wilson down a political path was almost certain to meet him coming in the opposite direction." Harding took the conservative and isolationist view that a return to higher tariffs was right for America.

These issues and others set the stage for a hard fought, complicated and vicious Ohio political campaign.

Early in the campaign the signs of anti-Catholicism began to appear. Copies of The Accuser and The Menace began appearing everywhere in Ohio, informing their readers of the dangers of electing a Catholic to public office (Harding's supporters often helped to circulate the publications). On billboards, signs and walls all over Ohio was scrawled the following message:

#### Read The Menace and get the dope. Go to the polls and beat the Pope.

Harding was flooded with letters from his supporters calling his attention to the "insidious political Roman policy" of Hogan, the "Knights of Columbus candidate." Pamphleteers spoke of a plan by Hogan to cancel the tax-exempt status of all Masonic, Pythian, and Odd Fellows retirement homes, a plan, "obviously conceived in Rome." They also declared Hogan's Catholicism a threat to public schools. This claim, however, ignored the facts that Hogan himself was a product of the public schools, that he had been a superintendent of a public school system and he had made more than one ruling as Attorney General that favored public schools (notably, his upholding of the Smith Act which prevented the crippling of Ohio public school financing). To those who hated Hogan's religion the facts were irrelevant.

Hogan traveled the state, making speeches and trying to ignore the anti-Catholic rhetoric of the campaign. He visited 23 Ohio cities between September 17 and November 1, 1914. He campaigned on the record of Woodrow Wilson. Hogan said, "The paramount issue of the Ohio campaign, from a national standpoint, is whether or not President Woodrow Wilson has made good." Just before the election, in August 1914 the European powers had propelled Europe into World War I. So far, Wilson had been able to keep the U.S. out of the war as a neutral power, something he had promised to do during the 1912 campaign.

Publicly, Harding espoused that high tariffs were the chief issue of the campaign. He said, "The tariff issue is the paramount issue in the senatorial campaign. The Democratic tariff law has brought ruin and desolation on our land. A vote for me is a demand for the return of a high protective tariff and prosperity to the American workmen." Harding was tied to a conservative anti-Wilson campaign.

Garford, the voice of the Progressive Party, stated, "Temperance is the paramount issue. If you voters will elect me, I pledge myself to work for the passage of national prohibition laws."

Despite the fine words from the candidates, the primary issue in this election would continue to be Hogan's Catholicism. While neither of Hogan's opponents was willing to discuss the issue, they had willing supporters who were quite vocal in promoting the "no-popery" theme. Finally, Hogan felt the need to speak out. In a speech at Chillicothe on October 31, 1914, Hogan said, "In the teeth of my record as a public official and in utter defiance of the provisions of the constitution of the United Stated, I have been beset, harassed and badgered by people operating in the sacred name of patriotism and the holy garb of liberty. I was not permitted to discuss political issues, like all the other candidates on either ticket, free from distractions necessarily brought on by having my attention directed almost everywhere I went to the unfair, un-American attacks made upon me because, in private matters, I believed in the teachings I learned at my mother's knee. My opinions (as Attorney General), without exception, have been issued without fear or favor. We have obeyed your constitution and your laws and I feel confident that the fair-minded people

of this great state will rebuke attempts of any little coterie of men who would crucify a public officer because he had dared to do what was right."

#### Harding's Guilt?

While most of Harding's biographers agree that there is very little hard evidence that Harding overtly participated in any anti-Catholic attacks on Hogan, the majority strongly criticize Harding for not publicly renouncing those of his close supporters who did.

Why didn't Harding participate in the attacks? The biographer of Florence Kling Harding, wife of Warren Harding, credits her for strongly encouraging Harding not to participate in the anti-Catholic attacks on Hogan. Mrs. Harding allegedly wanted to protect secrets in both families that she feared could be used against her husband in the campaign.

The Klings – Florence Harding's father, Amos Kling, was the richest man in Marion, Ohio. The Kling family was staunchly Protestant. Mrs. Harding's brother, Vetallis Kling, had fallen in love with the widowed daughter of the family's Irish-Catholic maid. Vetallis had converted to Catholicism and had plans to marry. Both his conversion and his marriage plans constituted a major embarrassment to the Kling family and Florence preferred to keep the secret hidden (Vetallis Kling married Nona Younkins at St. Mary's Catholic Church in Marion, Ohio in July 1919).

The Hardings – Florence Harding was also concerned about the old local rumor that one of Warren Harding's ancestors had been black. This racist gossip about Harding's alleged "black blood" had dogged Harding throughout his life and political career. Harding himself steadfastly refused to even discuss the subject. Given the segregated racial climate of 1914, Mrs. Harding was afraid the Democrats would, in retaliation, make this an election issue if her husband participated in the religious attacks on Hogan (the matter of Harding's black ancestry, although discounted by most historians, was exploited during Harding's presidential campaign in 1920 and during his term as president).

#### The Election Results

When the votes were counted, Hogan had lost in a big way. Harding had received 526,115 votes; Hogan received 423,742 votes; and Garford received 67,509 votes. The Socialist candidate, E. L. Hitchens received 52,803 votes. Harding had defeated Hogan by 102,373 votes, gaining 49% of the vote. In the end Hogan had won only 17 of Ohio's 88 counties. Harding had won the rest. The statistics showed that over 70,000 Democrats who voted for Democratic Governor James M. Cox in the 1914 election did not vote for Hogan. It is estimated that about 50,000 Democrats did not vote at all!

Statewide Prohibition went down to defeat and the Home Rule amendment was approved, repealing the county local option laws. In the next year about 800 additional saloons were opened in previously dry counties, much to the dismay of the Anti-Saloon League.

Hogan called Harding by long distance and conveyed his gracious congratulations. Hogan told reporters, "There's nobody in Ohio I'd rather lose to than Mr. Harding. He's a fine fellow." Hogan also said that staying in Columbus would probably be more lucrative for him than moving his family to Washington. Hogan quipped, "Maybe the licking I got is all for the best."

Warren Harding went on to the U.S. Senate where he managed to compile the worst attendance record of any senator. He proposed no significant legislation and, most of his biographers agree, that when he attended, he largely just filled the seat. He reluctantly was granted the Republican nomination for President in 1920; was elected; and presided over one of the most corrupt administrations in U.S. history. He died in office in 1923.

#### The General

Hogan had little time to rest after the physically and emotionally demanding 1914 election. Four Ohio cases were pending in the U.S. Supreme Court which required his immediate attention as Attorney General. One of the most famous cases was Mutual Film Corporation v. Industrial Commission of Ohio (236 U.S. 230). The Ohio

legislature had passed a film censorship law in 1913. The law established a three-person review board within the Industrial Commission of Ohio. The board's job was to review, approve and censor all motion picture films before their release in theaters. Ohio law stated that only films of a "moral, educational or amusing and harmless character shall be passed and approved by the Board (ORC 871-49)." In 1914 the Mutual Film Corporation requested an injunction restraining the enforcement of the Ohio law on grounds that it was a violation of the free speech amendments of both the Ohio and US constitutions and was an unlawful burden on interstate commerce. In a unanimous landmark decision the Supreme Court decided that movies were, "A business, pure and simple, originated and operated for profit, ... and not to be regarded as organs of public opinion." In other words, films were subject to censorship and they could not claim protection under the Constitution because film companies were private for-profit businesses and films themselves could be used for evil purposes. This was a tremendous setback for the film industry and is cited, as such, in most publications dealing with the history of U.S. film censorship. This decision stood for 37 years as good law until a later Supreme Court reversed it in 1952, citing that film was a constitutionally protected medium.

Following the expiration of his term as Attorney General, took up private legal practice in Columbus with the firm of Hogan, Hogan, Hogan and Hogan, joining three of his children in legal practice. Timothy Hogan never ran for political office again, although he continued to be involved in local politics. It is interesting to note, and still further evidence of his "Solid Man" status, that even though he was no longer Attorney General, his friends and many admirers would forever refer to Hogan as "General Hogan."

In private practice Hogan continued to take on cases involving social and political progressivism, arguing five cases before the U.S. Supreme Court. In one of Hogan's most successful cases, he represented the Lutheran Synod of Missouri in defending two Ohio teachers, H. H. Bohning and Emil Pohl, who, in 1919 were arrested and charged with violation of the Ake Law, an Ohio law which prohibited the teaching of the German language to pupils below the 8th grade in public, parochial or private schools.

Both were teachers at a Lutheran school in Garfield Heights, Ohio. The Ohio Supreme Court upheld the Ake Law and Hogan appealed the cases to the U.S. Supreme Court. Hogan vigorously attacked the law in his argument as a violation of the due process clauses of the 14th Amendment. The Supreme Court decided that the Ohio law and similar laws in other states were unconstitutional. In Bohning and Pohl v. The State of Ohio (262 US 181, 182), Hogan was highly instrumental in establishing educational freedom as a key principle of constitutional law.

#### **Irish Politics**

On September 4, 1919, President Woodrow Wilson visited Columbus, Ohio as the first stop on his nationwide tour to promote the League of Nations. Hogan was conspicuous by his absence from the welcoming committee and related events. Hogan and President Wilson had parted company due to Wilson's support for the League of Nations article in the Treaty of Versailles that ended World War I. Hogan viewed the League of Nations and the treaty as a benefit to England and a detriment to hopes of Irish independence.

Hogan did appear in the news one month later on October 8, 1919 when Irish provisional President Eamon De Valera arrived in Columbus. De Valera, newly escaped from a British jail and president of an outlawed Irish Republic, was touring the U.S. to campaign against the Versailles Treaty and to seek U.S. recognition for the Irish Republic. Hogan was the local president of the Friends of Irish Freedom (FOIF). The FOIF was a national organization that supported recognition of the Irish Republic and was openly opposed to the League. Irish-American opposition to the League and the treaty was largely responsible for insuring that the United States Congress never ratified the treaty.

Hogan and a delegation of local political dignitaries, including Catholic Columbian publisher, James T. Carroll, met de Valera at Union Station in Columbus. Hogan rode with De Valera in a small motorcade from Union Station to the Chittenden Hotel as crowds lined both sides of High Street. At the Chittenden, de Valera met with the press. That evening, De Valera spoke to a standing room only crowd at the Southern Theater. Hogan and Columbus Bishop James J.

Hartley were on the stage to welcome de Valera. Following his Southern Theater speech de Valera was transported to the Board of Trade Auditorium on East Broad Street where he presented his speech to yet another packed assembly of Columbus Irish.

#### Death Claims the General

Timothy Hogan died on Wednesday, December 8, 1926 of the effects of pernicious anemia at his home at 946 Bryden Road in Columbus. His funeral was held at St. Joseph's Cathedral on Friday, December 10, 1926. Rev. John W. Cavanaugh, CSC, of South Bend, Indiana, former president of Notre Dame University (1905-1919) conducted the ceremony and eulogized Hogan as an outstanding Roman Catholic.

Chief pallbearers for Timothy Hogan were, James T. Carroll, editor of the Catholic Columbian; Herbert H. Mengert, Columbus correspondent for the Cincinnati Enquirer; T. J. Duffy, former member of the state industrial commission; Thomas J. Donnelly of the state federation of labor; Edward T. Powell, E. J. Schanfarber, James L. Boulger and Thomas Varley. The honorary pallbearers were a Who's-Who of Ohio politics and included Ohio Governor A. Victor Donahey; former Ohio Governor Judson Harmon; former Ohio Governor and presidential candidate James M. Cox; and former Attorney General and former Franklin County Prosecutor Edward C. Turner.

In one of the many tributes to Timothy Hogan, Governor Victor Donahey called him, "One of the ablest lawyers of our time." He said of Hogan, "As a citizen and public servant he won and merited the universal love of the people of our state. His fine personality and deeds will live long after him." Timothy Sylvester Hogan was buried in St. Josephs Cemetery. Hogan's wife Mary died on June 15, 1961 in Cincinnati.

#### Conclusion

Timothy Sylvester Hogan wore many hats in his varied carrier: educator, attorney, family man, public servant and politician. He performed these jobs with honor, hard work and integrity. Most importantly, despite being often under attack because of his religion, the Solid Man always stood up for his Church and never found it necessary to apologize to anyone for being a Catholic. Although he accomplished much in his carrier for which credit is due, Timothy Sylvester Hogan will always be remembered for his Catholicism.

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Wellston Sentinel: April 6, 1895; April 27, 1895; December 9, 1926; December 12, 1926;

Youngstown Telegram: August 11, 1904

## Calvary Cemetery, West Jefferson, Madison County, Ohio

(Southwest side)
Continued from Volume XXIX, No. 11

WJV: 1923, July 23, Peter McDonald, age 69, born Ohio, parents born in Ireland Alice died 1934
SSJ: 1934, Jan. 19, Alice McDonald, born Madison Co., age 75, pulmonary tuberculosis, parents Peter McDonald and Winifred WJV: 1934, Jan. 20, Alice McDonald, age 75

T4L1 no stones

T4L2
{GROVES: Leo E. Jan. 7, 1942-[blank]
{ Gladys I. July 3, 1938-[blank]
{Parents of Mary, Terry, Carrie & Bret
{Ellen E. Groves May 8, 1912+Apr. 17, 1892
{Mother of Leo, Margy & Harriett

T4L3
+ Leo T. McElroy OHIO PVT 14 REGT
USMC WORLD WAR I FEB 10 1897
MARCH 29 1956
SSJ: 1956, Mar. 29, Leo McElroy, born W. Jefferson, age 59, heart trouble
+ Mary M. McElroy Sept. 21, 1908 Aug. 14, 1998

T4L4 "F"

O'Flaherty James T. 1908+1932

SSJ: 1932, Feb. 22, James O'Flaherty, born W.

Jefferson, age 24, pneumonia, son of Timothy

O'Flaherty and Mary Quinn

WJV: 1932, Feb. 23, James J. O'Flanagan, age 23, born Ohio, father born in Ireland

O'Flaherty Mary 1868+1940 (Mother)

SSJ: 1940, May 11, Mary O'Flaherty, age 71

O'Flaherty Ann Margaret 1906+1959

T4, L5 through 8 -- see T3

T4, L9 and 10 'McCARTY' (Brother) Michael J. McCarty Died July 28,

SSJ: 1922, July 27, Michael McCarty, born W.

Jefferson, age 63, tuberculosis

{Alice Callender 1859-1941}

{Mary Brady wife of Daniel McCarty 1837-1902}

SSJ: 1941, buried on July 28, Alice McCarthy

Callender, age 74

WJV: 1902, Sept. 30 Mrs. Mary McCarty,

age 65, born Ireland

SSJ: 1902, Sept. 30, Mary McCarty, born Ireland,

age 65, paralysis

(Father) James McCarty 1861+1929

SSJ: 1929, Sept. 13, James McCarty, born W.

Jefferson, age 66, auto accident

T4, L11 and 12 'REDMOND'
William 1860-1915
WJV: 1915, Sept. 21, William P. Redmond, age
55, born in Ohio, parents born in Ireland
Margaret 1886-1903
SSJ: 1903, Aug. 1, Margaret Redmond, born W.
Jefferson, age 17, tuberculosis
Ethel M. Kelley 1890-1918
SSJ: 1918, Oct. 14, Ethel Margaret Kelly, born
London, age 28, pneumonia
WJV: 1918, Oct. 14, Ethel Margaret Kelley, age
28, born in Ohio
Hanna A. Kelley 1862-1897
Aunt Jennie 1857-1943

T4L13
Clara Gillivan 1862+1908
SSJ: 1908, Sept. 7, Clara Gillivan (nee Zinn), born Madison Co., age 44, cancer
George Gillivan 1861+1903
SSJ: 1903, Dec. 16, George Gillivan, born W.
Jefferson, age 42, Bright's disease

T5, L1 and 2 No stones T5, L3 and 4
James J. Wise 1ST SGT US ARMY WORLD
WAR II JAN 10 1913+APR 25 2002
Mary Margaret Wise 1917+1999
Robert W. Wise TEC 5 US ARMY WORLD
WAR II JUN 18 1915 + NOV 11, 1995
George E. Wise PHM1 US NAVY WORLD
WAR II OCT 21 1903 + AUG 21 1987
{WISE: Frank Nov. 23, 1874-Nov. 13, 1948
{ Anna Dec. 20, 1873-Feb. 23, 1964
SSJ: 1948, Nov. 13, George Franklin Wise,
married; convert
SSJ: 1964, Feb. 23, Mrs. Frank Wise, 90

T5L5

{MILLER: Ella C. 1867-1942 (Mother) { Lawson 1862-1930 (Father) SSJ: 1942, Oct. 24, Ellen Miller, age 77; parents James Carey and Ellen Weldon, husband Lawson Miller SSJ: 1930, Feb. 27, Lawson Miller, born W. Jefferson, age 68, heart trouble + Joseph C. Miller OHIO PVT 307 FIELD ARTY 78 DIV SEPTEMBER 23, 1943 SSJ: 1943, Sept. 23, Clara Miller, age 47, cancer; brother Paul V. Miller

[Perhaps a separate lot to the northeast of 5:] + John Carey 1869-1935 SSJ: 1935, Sept. 14, John Carey, born Madison Co., age 65, heart trouble; parents James Carey and Ellen Weldon

WJV: 1935, Sept. 14, John Carey, age 65

T5, L7 and 8 'QUINN' +John Paul Quinn OHIO PVT CO C 308 FA 78 DIV WORLD WAR I OCT 19 1891 FEB 23 1965

{QUINN: Edward J. Nov. 12, 1892-Apr. 28, 1978

{ Mary E. Mar. 28, 1910-Oct. 4, 2001 Edward M. 1829-1912

SSJ: 1912, May 23, Edward Quinn, age 78, paralysis

WJV: 1912, May 29 Edward Quinn, age 83, born in Ireland on Mar. 5, 1829
James 1861-1939

SSJ: 1939, Nov. 6, James Quinn, born Madison Co., age 78, heart & kidney trouble probably here:

SSJ: 1917, Jan. 21, Mrs. Ed. Quinn, born Ireland, old age

SSJ: 1938, Oct. 12, Mary Quinn, born Madison Co., age 74; brothers James and Edward

T5, L9 and 10 Infant C. W. Boggs 1920 SSJ: 1921, Feb. 7, Charles Boggs, born W. Jefferson, age 1 day

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to be continued...

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